

PHILLIP A. TALBERT
Acting United States Attorney
ALSTYN BENNETT
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ADAN MAYORAL,

Defendant.

CASE NO. 2:21-CR-00184-TLN

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

COURT: Hon. Troy L. Nunley

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, a status conference scheduled for November 18, 2021 was vacated.
2. By this stipulation, defendant now moves to set a status conference for January 27, 2022, at 9:30 a.m., and to exclude time between November 18, 2021, and January 27, 2022, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case includes audio files, photographs, investigative reports and related documents, criminal history documents, and other paper documents. Initial discovery has been either produced directly to counsel and/or made available for inspection and copying.

1 b) Defense counsel has requested additional discovery based off her review of the
2 initial discovery. The government has represented that this discovery will be forthcoming.

3 c) In light of this discovery, and based on counsel's own investigation concerning
4 the defendant's circumstances, counsel for defendant desires additional time to consult with her
5 client, to review the current charges, to conduct investigation and research related to those
6 charges, to obtain additional records related to this matter, to review and copy discovery for this
7 matter, to inspect physical evidence seized and/or otherwise available concerning this matter, to
8 discuss potential resolutions with her client, to consider and/or prepare pretrial motions, and to
9 otherwise prepare for trial.

10 d) Moreover, in addition to the general public-health concerns presented by the
11 evolving COVID-19 pandemic, an ends-of-justice delay is particularly apt in this case because
12 counsel have been encouraged to telework and minimize personal contact to the greatest extent
13 possible, and—consistent with that public-health guidance—it will be difficult for defense
14 counsel to fully investigate the facts of this case in advance of the currently scheduled hearing.

15 e) Counsel for defendant believes that failure to grant the above-requested
16 continuance would deny her the reasonable time necessary for effective preparation, taking into
17 account the exercise of due diligence.

18 f) The government does not object to the continuance.

19 g) Based on the above-stated findings, the ends of justice served by continuing the
20 case as requested outweigh the interest of the public and the defendant in a trial within the
21 original date prescribed by the Speedy Trial Act.

22 h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
23 et seq., within which trial must commence, the time period of November 18, 2021 to January 27,
24 2022, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
25 T4] because it results from a continuance granted by the Court at defendant's request on the basis
26 of the Court's finding that the ends of justice served by taking such action outweigh the best
27 interest of the public and the defendant in a speedy trial.

28 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the

Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: November 15, 2021

PHILLIP A. TALBERT
Acting United States Attorney

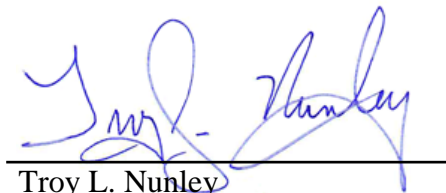
/s/ ALSTYN BENNETT
ALSTYN BENNETT
Assistant United States Attorney

Dated: November 15, 2021

/s/ MIA CRAGER
MIA CRAGER
Counsel for Defendant
ADAN MAYORAL

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 16th day of November, 2021.



Troy L. Nunley
United States District Judge